

**REGULAR MEETING OF THE COMMON COUNCIL
OF THE CITY OF PLATTSBURGH, NEW YORK**

September 13, 2012

5:30 P.M.

MINUTES

Present: Mayor Donald Kasprzak, Mark Tiffer (W2), George Rabideau (W3), Jim Calnon (W4), Chris Case (W5), Chris Jackson (W6)

Absent: Councilors Tim Carpenter (W1)

1. MINUTES OF THE PREVIOUS MEETING:

RESOLVED: That the Minutes of the regular meeting of the Common Council held on September 6, 2012 are approved and placed on file among the public records of the City Clerk's Office.

By Councilor Calnon; Seconded by Councilor Tiffer

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

2. PAYROLLS OF VARIOUS DEPARTMENTS:

RESOLVED: That the payrolls of the various Departments of the City of Plattsburgh for the week ending September 12, 2012 in the amount of **\$ 259,418.91** are authorized and allowed and Mayor and the City Clerk are hereby empowered and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Jackson; Seconded by Councilor Case

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

3. REPORTS OF CITY OFFICES & COMMITTEE REPORTS:

- Report of Fire and Ambulance Responses for the week of September 6 – September 12, 2012
- Statements of cash receipts from the Library from August 22 – August 29, 2012
- Finance Department Statement of Revenue and Expenditures for the months of August 2012
- Statement from the City Clerk's Office of all monies received during the month of August 2012 in the total amount of \$20,342.26

RESOLVED: That the reports as listed are hereby ordered, received and placed on file among the public records of the City Clerk's Office.

By Councilor Case; Seconded by Councilor Calnon

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

4. CORRESPONDENCE & RECOMMENDATIONS FROM BOARDS: None

5. AUDIT OF CLAIMS:

RESOLVED: That the bills Audited by the Common Council in the amount of \$ 1,626,484.26 are authorized and allowed and the Mayor and City Clerk (where required) are hereby authorized and directed to sign warrants drawn on the City Chamberlain for the payment thereof.

By Councilor Rabideau; Seconded by Councilor Jackson
Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

6. PERSONS ADDRESSING COUNCIL:

Suzanne Barton 43 William Street said I am just here to make comment on the request from the Library Board of Trustees to allocate the \$18,000 from the fund balance to maintain the grant funded computer center. While the grant funded computer center has been obviously a very wonderful asset to the City of Plattsburgh and to the Library in bringing in many different kinds of people. I am concerned as to where this money is really coming from. Is it coming from the General Fund? Is it coming from the Library Fund Balance and then we're going to be handing out the \$18,000? We just went through a huge fiscal crisis. I don't think the Library at this point if it is coming from the fund balance is financially ready to be handing out this money. I have some concerns. Are these going to be employees now of the City of Plattsburgh if this money is turned over to them? Are they going to be receiving benefits from us? At the end of December, and I know there's no crystal ball and we all know how the state works on things, but when this is all said and one and these people are out of a job will their unemployment benefits be coming from the City of Plattsburgh. I don't know the whole jist of the matter. I don't know if that's even a bone of contention with how the money works bit I think it's some valid questions.

Councilor Rabideau asked for clarification from John Prim from the Library Board of Trustees if he wishes to address the Council.

John Prim member of the Library Board of Trustees said the current structure for administering the grant would be the same structure that we envision for this program. Except instead of administering grant money it would be administering this \$18,000. So from our perspective we are requesting that it come from the City's General Fund rather than from the Library General Fund. And likewise the 2 employees administering it, Katie and Kelly, are not employees of the Library and we wouldn't envision changing that they work under Michelle and the employment would follow from their current employer.

Michele Armani from the **Workers Investment Board** said WIB would be willing to continue that arrangement to fund those employees through ACAP which is our personnel department.

Councilor Rabideau said these are not Library employees.

Michele Armani from the **Workers Investment Board** said no it would be our intention the structure

would remain the same.

7. OTHER ITEMS:

Motion to remove 7A from the Table.

By Councilor Calnon; Seconded by Councilor Jackson

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

A. RESOLVED: In accordance with the request therefore the Common Council approves Paul Bardis to block Grace Avenue at the Cornelia and Ash Street entrances on Saturday, September 15, 2012 between the hours of 11 am and 6 pm to hold a block party on the south end of Grace Avenue (the residents of the entire street are also welcomed to participate).

By Councilor Calnon; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(Councilors Tiffer, Calnon, Case and Jackson voted in the affirmative. Councilor Rabideau voted in the negative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves the Community Development office to advertise for housing rehab bids for Project: Witt – 20 Montcalm Ave.

By Councilor Tiffer; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

C. RESOLVED: In accordance with the request therefore the Common Council approves the City Chamberlain to adjust the 2011 General Fund Budget by an increase of \$16,705.87 equally in estimated revenues and appropriations for unbudgeted Police Department academy costs recovered through police fee billings.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion:

Councilor Case said is there any way we can raise revenues at some point so we don't have to move

money around next year?

Mayor Kasprzak said no it's more of an accounting thing, right Richard?

City Chamberlain Richard Marks said yes.

Councilor Calnon said I'd like to make a correction please. The resolution is written with 2011 it should be 2012. It's just a typo we don't need to amend.

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

D. RESOLVED: In accordance with the request therefore the Common Council approves Contract # 2012-06 "Sailors Beach Flood Damage Repair" be awarded to John W. Sheehan & Sons Inc. in the total amount of \$38,950.

By Councilor Tiffer; Seconded by Councilor Rabideau

Discussion: None

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

Invoke Rule 4 to move the following Resolution:

By Councilor Case; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson
(All voted in the affirmative)

E. RESOLVED: In accordance with the request therefore the Common Council approves the Plattsburgh Rotary Club to hold its 3rd annual Bed Race on Saturday, September 29, 2012 from 2pm – 5pm (Rain date: Sunday, September 30, 2012 from 2pm – 5pm). Closing City Hall Place, Trinity Place and lower Court Street. This event was cancelled during the Battle of Plattsburgh celebration due to inclement weather.

By Councilor Tiffer; Seconded by Councilor Jackson

Discussion:

Councilor Tiffer said I just want to thank them again for accommodating our concerns. I know the event is a success and I hope in future years it continues to grow and possibly break away and become an event all on its own.

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

F. Motion to waive rule 4 for initial consideration “Request from the Library Board of Trustees that the Council allocate \$18,000 from the Fund Balance to maintain the grant funded Computer Center October – December 2012,” “Request from Joseph McMahon Building Inspector for Claude Bouchard, Municipal Code Inspector, to attend “the Twentieth Annual Capital District Building Officials Educational Conference in Albany, NY from October 15 – 17, 2012 at a cost not to exceed \$910.”

By Councilor Calnon; Seconded by Councilor Case

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

RESOLVED: In accordance with the request therefore the Common Council approves Claude Bouchard, Municipal Code Inspector, to attend “the Twentieth Annual Capital District Building Officials Educational Conference in Albany, NY from October 15 – 17, 2012 at a cost not to exceed \$910.

By Councilor Case; Seconded by Councilor Jackson

Discussion:

Councilor Case said the reason he is moving this is to lock in Claude’s room at the same hotel as the conference to cut down on the travel expenses.

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

RESOLVED: In accordance with the request therefore the Common Council approves that the Council allocate \$18,000 from the Fund Balance to maintain the grant funded Computer Center October – December 2012.

By Councilor Calnon; Seconded by Councilor Case

Discussion:

Councilor Calnon said I’d like to point out 2 things. One of the things I said last week is that I am retired from the Workforce Investment Board but I also continue to both volunteer and do some things for pay while I’m out there and it’s mostly accounting. And in the course of that I do the

accounting and reporting to the City for this particular grant. I do not, however, get any money from it. So while there is some relationship I don't believe that it constitutes a conflict of interest but I wanted to be sure that you were all aware of it.

Councilor Jackson said I'm very torn on this and I really don't know which way I'm going to vote. Jim has made it a practice to provide us with unemployment numbers for Clinton County on a regular basis. Apparently this grant and this service does make a difference to people looking for a job. On the other side of the coin is I'm elected to look out for the taxpayers. I know this funding is only for the final 3 months of 2012. I'm just absolutely torn on this. I really don't know how I'm going to vote on this. The fact that there is not a duplication of services, at least that's what we were told, is a big factor. But the \$18,000 is another big factor.

Councilor Tiffer said I don't have personal experience with this specific program, but, when I was growing up I had an opportunity to go to the John Collins Center now it's called the Ted K Center. Without that opportunity, without being able to go to that center, I would not be as computer literate as I am now. I would not have the skills in terms of technology, in terms of educational opportunities that I have now because that program existed. So for me this obviously they serve 7,000 people. These are 7,000 people that probably would not have had that opportunity if we didn't provide or the state or the federal government didn't provide that opportunity for them. You're right we are here looking out for the taxpayers. But, how can an unemployed person contribute to the community. If they are given an opportunity to be employed to have the skills to be employed they're going to contribute much more to the community and thus help the tax base and help the taxpayers. So for me I think that \$18,000 to fund it until January and hopefully a grant comes through, I think it's a good investment.

Councilor Calnon said I have several thoughts about this. One of them is just the general nature of grant funding. Grant funds are designed to really leave something in the community. Michele noted that the emphasis in the upcoming year is to actually lay down an actual infrastructure that will outlive the specific funding of it. I think that this is a case much like that. That's why I really was kind of confused that the discussion about how to keep this particular service alive in the Library really just started a month before it was going to expire. Grant funding is limited in scope, it always is. There's a beginning and an end to this. The discussions on how to fund it really should have started a long time ago. I made a comment last week after the meeting that if the cost was \$18,000 and we were approached to come up with \$9,000 of it and it was \$9,000 from some other source whether its donations or anything else I might think about it differently. I think that this kind of conversation should have happened a long time ago and there should have been longer planning time. In addition to that I know that the fund balance that we have in place is going to be very seriously impacted in the next 12 months. The point that's raised where does the money come from is that the best use of that \$18,000. As we heard earlier there has been a real funding crisis at the Library in the last year. And if we really want to, and I'm not saying that I do, put more money in to the Library I'm not sure it's to establish a service that's fairly new. And my third argument in this regard is it is exactly what the Work Force Investment Act envisions as a front door service. And the fact that it is not duplicated at One Work Source is One Work Source's fault it is not the City's. I believe that most of the things if not all of the things that are done at the Library should be being done at One Work Source. I frankly don't want to use local taxpayer dollars to duplicate something that I believe

federal, same people pay the taxes, but the federal taxes have already established. Now much like every other part of government the Work Force Investment Act funding has been severely restricted in the last 5 or 6 years. In fact it's been restricted to the point where some of the activities that are funded under the Work Force Investment Act are undergoing the same kind of fiscal crisis that the Library did last year. But once again I'm not certain that's the role of the local taxpayers' dollars and I think for all three of those reasons this is just a terrible idea.

Mayor Kasprzak said Jim's got some outstanding points. Another point I would like to make is, I probably am not qualified to mention this but, I just cannot believe with the challenges we have financially to keep people working at the Library and the contract that was signed because of the economic situation. That this program with 2 people cannot be absorbed or are present workforce there cannot do this. I don't think it precludes from requesting that I don't believe especially if the funding is not supported. Therefore, if we truly want to offer this service I would absolutely believe that we have people there that can help people coming in and utilize this service. I just happen believe that. Now maybe I am totally wrong by saying that.

Councilor Calnon said in support of that. One of the things we've heard is that everything is going to stay there except the 2 people who were hired temporarily. So all the infrastructure that's in the Library now can remain. And so if our current staff can accommodate even some of the need that's out there we're certainly better off than without it.

Mayor Kasprzak said and that's just one perspective.

Councilor Rabideau said I'm kind of like Councilor Jackson. I was kind of like wavering on this. I appreciate during the work session the Library Board member coming before us and explaining things to us. I appreciate Jim's comments his concerns. I appreciate your comments. I also worry about the budget for next year as all of us I'm sure do. And when we are sitting down and trying to look at every aspect of the budget for 2013. We're narrowing and trying to cut and the Mayor's probably doing that now with his department budgets. It's very difficult for the Mayor. Then we sit down as a Council and we start cutting we start looking at things. Everybody from every department wants things, wants more personnel. And we realize we can't increase our personnel and trying to hold on to the personnel we have is a tough task. I'm kind of leery and I appreciate all the conversation because it actually helps when in making a decision when we do vote. So thank you for everybody's input.

Councilor Case said it seems like we've made tremendous progress with the center but if I do vote yes it will be a one timer. Because I'm looking at the future and I'm not getting a lot of answers. I'd like to see some mandate relief I think we are going to have a difficult year. Now, given that and a lot of other things, I wouldn't be able to support funding that if we don't get the grant.

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson
(Councilors Tiffer and Case voted in affirmative. Councilors Rabideau, Calnon and Jackson voted in the negative)

ACTION TAKEN: Defeated

Follow up Action: None

8. TRAVEL REQUEST:

A. RESOLVED: In accordance with the request therefore the Common Council approves City Assessor Derek Rosenbaum to attend “2012 NYSAA Annual Meeting and Seminar” in Lake Placid, NY from September 30 – October 3, 2012 at a cost not to exceed \$409.50. This course will fulfill the basic certification requirement prior to the February 2013 deadline.

By Councilor Calnon; Seconded by Councilor Jackson

Discussion: None

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

B. RESOLVED: In accordance with the request therefore the Common Council approves City Assessor Derek Rosenbaum to attend “Data Collection Training” in Latham, NY from October 11 – 12, 2012 at a cost not to exceed \$362. This course will fulfill the basic certification requirement prior to the February 2013 deadline.

By Councilor Jackson; Seconded by Councilor Case

Discussion: None

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

ACTION TAKEN: Adopted

Follow up Action: None

9. RESOLUTIONS FOR INITIAL CONSIDERATION:

1. Request to establish the following Parking Zone designation No. 944 “Remove “No Parking” Zone on the west side of North Catherine Street in the recessed curb area adjacent to Catherine Garden Apartments and replace with “15 minute parking” Zone.”
2. Request from Erin MCCartan to hold the 2012 Polar Plunge at the Plattsburgh City Beach on November 3, 2012.
3. Request from Karen Patterson to hold the Walk to Cure Diabetes on April 28, 2013 at US Oval.
4. Request from the Library Board of Trustees that the Council allocate \$18,000 from the Fund Balance to maintain the grant funded Computer Center October – December 2012. (**Move to agenda under “Other Items” Letter F**)
5. Request from the Red Hummingbird Foundation to hold their annual Earthdance Celebration on Saturday, September 22, 2012 from 7:00 pm – 9:30 pm at the Lions club bandshell. In the

case of inclement weather it would be held at the outside covered area of the Farmer's Market.

6. Request from Kevin Farrington City Engineer for permission for the Mayor to sign Supplemental Agreement No. 1 for Contract # 2007-22 "Champlain Valley Transportation Museum Building and Site Improvements PIN 7804.83, D030445."
7. Request from Patty Goodell to use the City Recreation Center gym for the CV-TEC Family Welcome Center Community Outreach Day from 10am-2pm on November 14, 2012.
8. Request from Bill Treacy Manager MLD that Bid No. 2012-7-2 "St. Lawrence 1 and St. Lawrence 2 Substation Upgrades – Circuit Breaker and Circuit Switcher Installation" be awarded to Northline Utilities in the total amount of \$254,850.
9. Request from Joseph McMahon Building Inspector for Claude Bouchard, Municipal Code Inspector, to attend "the Twentieth Annual Capital District Building Officials Educational Conference in Albany, NY from October 15 – 17, 2012 at a cost not to exceed \$910. (**Move to agenda under "Other Items" Letter F**)
10. Request from Police Chief Desmond Racicot for one Police Officer to attend "Law Enforcement Training Directors Association of NYS Annual Meeting" in Saratoga Springs, NY from October 3 – 5, 2012 at a cost not to exceed \$396 and will be paid out of Asset Forfeiture funds (DOJ).
11. Request from Police Chief Desmond Racicot for three Police Officers to attend "Armorer Certification-Sig Sauer Pistols Training" in Epping, NH from December 7 – 9, 2012 at a cost not to exceed \$2,493 and paid out of Asset Forfeiture funds (DOJ).
12. Request from Assistant Fire Chief Randal Stone for himself, Captain Edwards and Firefighter Lawliss to travel to Appleton, WI for Pre-Delivery Inspection of new Pierce Impell Fire Engine from September 27 – October 1, 2012 at a cost not to exceed \$150.

10. NEW BUSINESS:

Councilor Case said can we get somebody to fix that light or replace the bulb.

Mayor Kasprzak said Mr. Treacy and Mr. Brodi are here and Beth will follow up on it I guarantee it.

Councilor Tiffer said this Saturday is the second annual Rockeater. I'll have Steve talk about it in a minute. Registration is closed; however, Steve and I were able to find 6 spots. One for the Mayor and one for each of you Councilman, so I am challenging you to race in the Rockeater. I am participating so I hope to see each and every one of you there.

Steve Peters Recreation Superintendent said we have 543 people registered which means I do have 7 spots left so I expect all of you guys to be there jumping through the mud. We've got a good line up and it seems like it'll be a good day so I invite all of you out to come and enjoy it.

Councilor Jackson said what was the count last year.

Steve Peters Recreation Superintendent said at this point it was 410.

Councilor Jackson said if you get a chance you should stop by Ann Chase's new office.

Councilor Calnon said and I'd like to point out it that it's not at City expense. Ann decorated her own office.

11. CLOSING PUBLIC COMMENTS: None

Motion to Adjourn by Councilor Jackson; Seconded by Councilor Tiffer

Roll call: Councilors Tiffer, Rabideau, Calnon, Case, Jackson

(All voted in the affirmative)

MEETING ADJOURNED: 6:08pm